

116TH CONGRESS
1ST SESSION

S. 1648

To reinstate and compensate family caregivers who were improperly removed from the family caregiver program of the Department of Veterans Affairs or whose benefits were reduced and to ensure all veteran caregivers receive the support and assistance to which they are eligible in a fair and consistent manner, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, MAY 22), 2019

Mr. CASEY (for himself, Mr. TESTER, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To reinstate and compensate family caregivers who were improperly removed from the family caregiver program of the Department of Veterans Affairs or whose benefits were reduced and to ensure all veteran caregivers receive the support and assistance to which they are eligible in a fair and consistent manner, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Veteran
5 Caregivers Act of 2019”.

1 **SEC. 2. REINSTATEMENT AND RESTORATION OF BENEFITS**
2 **FOR CERTAIN FAMILY CAREGIVERS UNDER**
3 **FAMILY CAREGIVER PROGRAM OF DEPART-**
4 **MENT OF VETERANS AFFAIRS.**

5 (a) REEVALUATION OF BENEFITS.—The Secretary of
6 Veterans Affairs shall reevaluate the cases of all family
7 caregivers who were removed from the program or whose
8 benefits under the program were reduced on the basis of
9 clinical eligibility on or after January 1, 2015, to ensure
10 that such removal or reduction was consistent with eligi-
11 bility criteria for the program under section 1720G(a) of
12 title 38, United States Code.

13 (b) REINSTATEMENT AND REVERSAL OF BENEFIT
14 REDUCTION.—Not later than 180 days after the date of
15 the enactment of this Act, on the basis of the reevaluation
16 under subsection (a), the Secretary shall—

17 (1) offer reinstatement in the program to any
18 family caregiver who was found to be improperly re-
19 moved from the program; and

20 (2) reverse any reduction in benefits for a fam-
21 ily caregiver under the program that was found to
22 be improper.

23 (c) COMPENSATION FOR CAREGIVERS WRONGFULLY
24 DISCHARGED OR DOWNGRADED.—Not later than 180
25 days after the date of the enactment of this Act, the Sec-
26 retary shall—

1 (1) compensate any family caregiver who was
2 reinstated into the program under subsection (b)(1)
3 in an amount equal to the amount of the stipends
4 that the family caregiver would have received during
5 the period beginning on the removal of the family
6 caregiver from the program and ending on the rein-
7 statement of the family caregiver in the program
8 under such subsection; and

9 (2) compensate any family caregiver whose ben-
10 efits were restored under subsection (b)(2) in an
11 amount equal to the difference between the amount
12 of the stipends that the family caregiver received
13 during the period beginning on the reduction of such
14 benefits and ending on the reversal of such reduction
15 under such subsection.

16 (d) REPORT.—

17 (1) IN GENERAL.—Not later than 90 days after
18 completing the reevaluations under subsection (a),
19 the Secretary shall submit to Congress a report de-
20 tailing the results of those reevaluations, including
21 any findings of inconsistencies in the administration
22 of the program across facilities of the Department of
23 Veterans Affairs.

24 (2) PLAN.—The Secretary shall include in the
25 report under paragraph (1) a plan to ensure that in-

1 consistencies in the administration of the program
2 are corrected.

3 (e) DEFINITIONS.—In this section:

4 (1) FAMILY CAREGIVER.—The term “family
5 caregiver” has the meaning given that term in sec-
6 tion 1720G(d) of title 38, United States Code.

7 (2) PROGRAM.—The term “program” means
8 the program of comprehensive assistance for family
9 caregivers of eligible veterans under section
10 1720G(a) of such title.

11 (3) STIPEND.—The term “stipend” means the
12 monthly personal caregiver stipend under section
13 1720G(a)(3)(A)(ii)(V) of such title.

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